Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of	)	
Equal Access and Interconnection	)	CC Docket No. 94-54
Obligations Pertaining to	)	RM-8012
Commercial Mobile Radio Services	)	

TO: The Commission

REPLY COMMENTS OF GO COMMUNICATIONS CORPORATION

GO Communications Corporation ("GO"), formerly Columbia PCS, Inc., hereby replies to certain comments filed in the above-referenced docket.

I. EQUAL ACCESS

The majority of commenters agree with GO's position that "one-plus" equal access obligations should not be imposed upon PCS providers. These commenters include the Cellular Telecommunications Industry Association ("CTIA"), the Personal Communications Industry Association ("PCIA"), and numerous others.[1/] Because PCS licensees will not have either market

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1/ See, e.g., Comments of ALLTEL Mobile Communications, Inc. at 2; Americell PA-3 Limited Partnership at 2-4; the American Mobile Telecommunications Association, Inc. at 6; American Personal Communications at 2-3; Michael B. Azeez at 3-4; Century Cellunet at 4-9; Comcast Corp. at 19-21; Cox Enterprises, Inc. at 13-15; Dakota Cellular, Inc. at 2-4; First Cellular of Maryland, Inc. at 2-4; Florida Cellular RSA Limited Partnership at 2-3; GTE Service Corp. at 2-4; Highland Cellular, Inc. at 2-3; Horizon Cellular Tel. at 1; Lake Huron Cellular Corp. at 1-4; Miscellco Communications, Inc. at 3-8; National Tel. Cooperative Ass'n at 2-5; New Par at 2-3; Nextel Communications, Inc. at 5-7; OneComm Corp. at 5-9; OPASTCO at 3-4; Pacific Telecom Cellular, Inc. at 1-4; Palmer Communications, Inc. at 2-7; Point Communications Co. at 2-3; Rural Cellular Ass'n at 4-8; Saco River Cellular Tel. Co. at 3-4; Small Market Cellular Operators at 2-6; SNET Mobility, Inc. at 11-12; The Southern Company at 7-9; Southwestern Bell

power or access to bottleneck facilities, equal access obligations are simply not necessary to protect consumer choice. Market pressure created by a diverse and competitive environment will be more efficient than increased regulation that would inhibit that same competition. Moreover, the comments that have been filed demonstrate convincingly that the costs of implementing equal access would be enormous.[2/]

Not surprisingly, three of the regional Bell operating companies that already are subject to equal access[3/] and five interexchange carriers that believe they would benefit from it but would not have to bear its costs[4/] support imposing equal access upon all commercial mobile radio service ("CMRS") carriers. These comments are not persuasive:

Corporation at 19-31; Telephone & Data Systems, Inc. and United States Cellular Corp. at 3-17; Triad Cellular at 2-3; Union Tel. Co. at 2-3; Vanguard Cellular Systems at 3-17; Waterway Communications System, Inc. at 4-8; Western Wireless Corp. at 2-6.

[2/] See, e.g., Comments of Century Cellnet at 4-7 ($13 million and $200,000 per year); GTE at 7-9 ($23 million); Telephone & Data Services, Inc. at 3-7 ($4 million and $700,000 per year).

[3/] See Comments of Ameritech at 1-2; Bell Atlantic Companies at 4-6; Pacific Bell at 3. But see Comments of Southwestern Bell Corporation at 19-24 (opposing equal access); BellSouth Corp. at 28 (advocating either imposing equal access on all carriers or, preferably, the removal of equal-access obligations from all carriers); NYNEX Companies at 3-7 (same).

[4/] See Comments of Allnet Communications Services, Inc. at 2-4; AT&T Corp. at 3-8; LDDS Communications, Inc. at 10-11; MCI Telecommunications Corp.; WilTel, Inc. at 2-9.

- RBOCs do, in fact, control bottleneck facilities and should bear equal access obligations; independent PCS carriers do not have access to local exchange facilities and should not be burdened by equal access. There is a reasoned distinction between RBOC-owned entities and independent PCS carriers. Those RBOCs that seek to have equal access imposed on the entire industry merely because it justifiably has been imposed on them are seeking to use an important public policy decision as a bargaining chip to decrease their own burdens.
- Interexchange carriers have nothing to lose by advocating that another industry segment be forced to bear the cost of equal access and are seeking to avoid the necessity of negotiating with CMRS providers in the marketplace.

Neither group has a bona fide public-interest justification for imposing across-the-board equal-access obligations.

We also disagree with those few commenters that take the position that PCS must bear identical equal-access obligations to those imposed on cellular carriers.[5/] GO established in its comments that Section 332 of the Communications Act does not demand a slavish identity of

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[5/] See, e.g., Comments of Airtouch Communications, pp. 8-9; AT&T Corp. at 8; Bell Atlantic Companies at 7-8; BellSouth Corp. at 34; McCaw Cellular Communications, Inc. at 26-30; Rochester Tel. Corp. at 4-5; Triad Cellular at 9; TRW, Inc. at 3-4; Western Wireless Corp. at 4-5.

regulatory requirements when there are real-world distinctions between different services, a position that was supported by a significant cross-section of industry commenters.[6/] PCS and cellular are a perfect case in point. It makes no sense at all to find that PCS, a service that does not yet have a single subscriber or a single licensee, must have the same regulatory structure as cellular, a mature and entrenched decade-old industry with almost 20,000,000 subscribers. More flexible treatment for a new market entrant is appropriate and, in this area, fully justified. Commenters that gloss over the essential distinctions between cellular and PCS on the simplistic ground that both are CMRS providers elevate labels over substance.

II. INTERCONNECTION

There is no question that mandatory interconnection is crucial to the success of PCS and that mutual compensation

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[6/] See Comments of the American Mobile Telecommunications Association, Inc. at 7-9 (equal access should not be imposed upon SMR even if it is imposed upon cellular); Dial Page, Inc. at 3-5 (same); E.F. Johnson Co. at 3-5 (same); GEOTEK Communications, Inc. at 3-9 (same); National Ass'n of Business and Educational Radio, Inc. at 3-6 (same); Nextel Communications, Inc. at 8-9 (same); OneComm Corp. at 10-14 (same); RAM Mobile Data USA Limited Partnership at 2-6 (same); AMSC Subsidiary Corp. at 7-12 (equal access should not be imposed upon MSS providers); Claircom Communications Group, L.P. at 2-4 (should be considered on service-by-service basis); GTE Service Corp. at 30-35 (air-to-ground); Maritel at 2-4 (public coast stations). Additionally, the California Public Utilities Commission argued that equal access should be imposed upon PCS to the extent it becomes an alternative to local exchange services (pp. 2-3); this obviously would not be the case at the outset, thus justifying a different standard for PCS and cellular.

is a bedrock obligation that must apply to all interconnection agreements. Enforcement of this obligation is, however, another matter entirely, and it is a question upon which no clear choice has emerged from the filed comments. Some LECs oppose a requirement that all interconnection agreements be filed with the Commission, and numerous other parties recognize that an across-the-board filing requirement could be unduly burdensome on both the Commission and the industry. Yet many parties see the need for some enforcement mechanism.

These recognitions by industry commenters underline the practicality of the middle-of-the-road solution proposed by GO in its comments. Under this approach, each Class A local exchange carrier would be required to file a "model" interconnection agreement. The "model" agreements could be reviewed for conformance to the Commission's policies without any requirement that all interconnection agreements be reviewed. The fact that these model documents would be publicly available would permit carriers to determine whether interconnection agreements they are negotiating are in compliance with the Commission's policies. This open, public process would minimize any incentives to deviate from the Commission's policies. Any deviations from the model agreements, and from the Commission's policies, could be dealt with on a case-by-case basis by use of the long-established complaint process.

This process would conserve Commission and industry resources while still ensuring that the basic interconnection requirements that are so crucial to the success of the PCS industry are scrupulously followed.

Respectfully submitted,

GO COMMUNICATIONS CORPORATION

By: _____

John A. Malloy
Vice President and
General Counsel
201 North Union, Suite 410
Alexandria, Virginia 22314
(703) 518-5073

October 13, 1994